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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of
ARBITRATION OF DISPUTES

between

THE TRUSTEES OF THE
UNITE HERE NATIONAL HEALTH FUND and
THE TRUSTEES OF THE
UNITE HERE NATIONAL RETIREMENT FUND,
Petitioners,

against

SYDNEY A. BUSH CO., INC.,
Defendant.

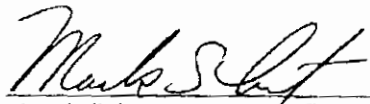
**NOTICE OF DISMISSAL
PURSUANT TO RULE 41(a)
07 Civ. 6468 (RJS)**

SIRS:


PLEASE TAKE NOTICE, that Trustees of the UNITE HERE National Health Fund and Trustees of the UNITE HERE National Retirement Fund (hereinafter, the "Plaintiffs"), having commenced the within action by filing a Petition to Confirm Arbitration Award on July 18, 2007 and a copy the Petition to Confirm Arbitration Award having been served on Sydney A. Bush Co., Inc., (hereinafter, the "Defendant"), and no Answer, Counterclaim nor Motion for Summary Judgment having been served by the Defendant, and it being the Petitioners' intention to voluntarily dismiss this action without prejudice;

THEREFORE, pursuant to the provisions of Rule 41(a) of the Federal Rules of Civil Procedure, the within action is hereby voluntarily dismissed without prejudice.

Dated: December 10, 2007
New York, New York


Mark Schwartz, Esq. (MS-0148)
Attorney for Plaintiffs
730 Broadway, 10th Floor
New York, New York 10003-9511
(212) 539-5275

SO ORDERED:


Richard J. Sullivan
United States District Court Judge